

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

SOURCEAMERICA *et al.*,
Plaintiffs,

v.

**UNITED STATES DEPARTMENT OF
EDUCATION, *et al.*,**
Defendants.

Case No. 1:17-cv-893

ORDER

The matter came before the Court on plaintiffs' motion to file a surreply in opposition to defendants' motion to dismiss (Doc. 18). Specifically, plaintiffs seek to address arguments regarding § 555(b) of the APA, and a case cited in the defendants' brief, *Block v. Community Nutrition Institute*, 467 U.S. 340 (1984). The defendants do not object to plaintiffs filing a surreply on the APA issue, but do object to granting the plaintiffs an opportunity to address the *Block* case.

For good cause and to ensure full briefing on all arguments, the plaintiffs' motion for leave to file a surreply is **GRANTED** (Doc. 18) insofar as the surreply may address only the *Block* case and the new argument related to § 555(b) of the APA.

Defendants may file a response to the surreply by 5:00 p.m. on Tuesday, December 5, 2017.

The Clerk is directed to send a copy of this Order to all counsel of record.

Alexandria, Virginia
November 28, 2017



T. S. Ellis, III
United States District Judge